

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 9TH APRIL, 2007 / 19TH CHAITHRA, 1929

WP(C).No. 10669 of 2007(T)

PETITIONER:

M/S.INDUSTRIAL PROTECTION FORCE &
CRIME INVESTIGATION AGENCY LTD,REPRESENTED BY
SHRI.P.M.SUNNY,AUTHORIZED SIGNATORY,36/2151,
SHENOI ROAD,KALOOR,KOCHI-17.

BY ADV. SRI.K.V.SABU

RESPONDENTS:

1. THE RECOVERY OFFICER, EMPLOYEES PROVIDENT
FUND, BAVISHYA NIDHI BHAVAN,P.B NO.1806,
ERANJIPALAM P.O, KOZHIKODE.
2. K.BALAKRISHNAN, ENFORCEMENT OFFICER,
EMPLOYEES PROVIDENT FUND, PALAKKAD.
3. REGIONAL COMMISSIONER, O/O REGIONAL
PROVIDENT FUND OFFICE, KALOOR.
4. THE SECRETARY TO GOVERNMENT, DEPARTMENT
OF LABOUR, SECRETARIAT,THIRUVANANTHAPURAM.

BY STANDING COUNSEL FOR P.F. SRI.THOMAS MATHEW NELLIMOOTTIL.
BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

S. SIRI JAGAN, J.

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Dated this the 9th day of April, 2007

J U D G M E N T

The petitioner challenges Ext.P1 Notice to show cause why he should not be committed to civil prison for non-payment of the arrears of contribution payable by him under the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short 'the Act'). However, what he wants now is only three months time to pay off the entire arrears as demanded by the respondents.

2. I have heard the learned Standing Counsel for the Provident Fund Organisation also.

3. In the facts and circumstances of the case, I dispose of this writ petition with a direction to the respondents to give the petitioner three months time to pay off the entire amounts due as arrears of contribution under the Act as also other charges. If the petitioner pays the amounts within the said three months, further proceedings pursuant to Ext.P1 would be kept in abeyance. However, if the petitioner commits default in payment as directed above, it would be open to the respondents to continue proceedings pursuant to Ext.P1 without having to

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issue any fresh notice or proceedings in that regard.

**sd/-
S. SIRI JAGAN,
Judge**

Mbs/

-True Copy-

P.A.to Judge.

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S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007

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